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Special measures for protection from sexual exploitation and sexual abuse*

Report of the Secretary-General

Summary

The present report is submitted in compliance with General Assembly resolution 57/306 of 15 April 2003, in which the Assembly requested the Secretary-General to maintain data on investigations into sexual exploitation and related offences. The report presents data on allegations of sexual exploitation and abuse in the United Nations system in the period from January to December 2005. It also describes progress made in the creation and implementation of measures designed to prevent sexual exploitation and abuse, and measures for processing allegations.

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I. Reports of sexual exploitation and abuse in 2005

1. The General Assembly, in its resolution 57/306 of 15 April 2003, requested the Secretary-General to, inter alia, maintain data on investigations into sexual exploitation and related offences by humanitarian and peacekeeping personnel, and all relevant actions taken thereon. Pursuant to that resolution, the Secretary-General on 9 October 2003 issued his bulletin on special measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13). It was addressed to all staff of the United Nations, including staff of separately administered organs and programmes. As defined in the bulletin, "sexual exploitation" means any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another. The term "sexual abuse" means actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

2. In response to the request in resolution 57/306, and in accordance with the Secretary-General's bulletin, the present report provides information on the number and type of allegations of sexual exploitation and abuse in 2005. It also sets out the status of investigations into those allegations as at 31 December 2005, and describes the actions that have been taken to enforce United Nations standards of conduct related to sexual exploitation and abuse.

3. In response to the Secretariat's query regarding allegations of sexual exploitation or sexual abuse in 2005, responses were received from all 41 United Nations entities from which information had been sought. These included United Nations Secretariat departments and offices, as well as United Nations agencies, funds and programmes.

4. Thirty-four entities received no reports of sexual exploitation or abuse in 2005. Seven entities reported that investigations into new cases were opened last year. The number of allegations reported by all entities totalled 373. Annex I presents a list of the nature of allegations, by United Nations entity and category of personnel.

5. Annex II presents the status of investigations as at 31 December 2005 in United Nations entities other than the Department of Peacekeeping Operations.

- The United Nations Volunteers Programme (UNV) had reported 21 cases. One case was received after the volunteer had already finished his assignment and in 20 cases, disciplinary action was taken in line with UNV Conditions of Service.
- The Office of the United Nations High Commissioner for Refugees (UNHCR) had reported 7 cases. Two cases were sent to the Division of Human Resources Management for disciplinary action; 2 cases were closed owing to insufficient evidence; 1 case was pending investigation by the Inspector General; 1 case was pending further action by the UNV headquarters, after a preliminary investigation determined that the allegations were substantiated; and 1 case was closed when the fixed term appointment of the staff member expired after the receipt of the allegations.
- The World Food Programme (WFP) had reported 2 cases which were sent to the WFP Human Resources Director for administrative or disciplinary action.

- The Department of Political Affairs had reported 1 case; a preliminary investigation determined that the allegations were not substantiated.
- The United Nations Office for Project Services (UNOPS) had reported 1 case; a preliminary investigation determined that the allegations were not substantiated.
- The United Nations Relief Works Agency for Palestine Refugees in the Near East (UNRWA) had reported 1 case; the case was closed after the staff member concerned agreed to leave the Agency.

6. Annex III presents the status of investigations of allegations concerning the Department of Peacekeeping Operations as at 31 December 2005. The Department had reported 340 new allegations in 2005: 217 against uniformed personnel and 123 against civilian personnel. The majority of these, or 193 allegations, were brought against military personnel, who constitute almost three quarters of all peacekeeping personnel in the field, and 24 allegations were related to civilian police. Eighty allegations involved United Nations staff and 42 allegations were related to other United Nations civilian personnel (which includes individual contractors, consultants, Junior Professional Officers and United Nations Volunteers).

7. Prior to September 2005, the investigation process for allegations against United Nations staff and other civilian personnel in the Department provided for them to be examined first by the head of mission, who decided whether a preliminary investigation was necessary. Based on the preliminary investigation, the allegation is either deemed to be unsubstantiated or sent to Headquarters for action. For staff of the Department of Peacekeeping Operations and other civilian personnel in 2005, 4 allegations had been deemed to require no further action and 68 were investigated. Of the 68 investigations, 33 cases had been sent to Headquarters for disciplinary action, 1 was pending investigation, 14 cases were substantiated and 4 allegations had been classified as unsubstantiated as at 31 December 2005. Sixteen cases involving civilian personnel were sent to Boards of Inquiry for investigation; of this number, 1 was substantiated, 14 were unsubstantiated and 1 remained pending. From September 2005 onwards, cases of sexual exploitation and abuse were referred to the Office of Internal Oversight Services (OIOS) from Department of Peacekeeping Operations field missions. Allegations were also reported directly to OIOS.

8. The same examination of allegations by the head of mission, followed by a preliminary investigation, is conducted for complaints against uniformed peacekeeping personnel, namely, members of national military contingents, military observers and civilian police (referred to as "experts on mission"). For personnel in these categories, the preliminary investigation is followed by a Board of Inquiry investigation. In cases in which individuals are found to have committed sexual exploitation or abuse, the head of mission can recommend repatriation to the Under-Secretary-General for Peacekeeping Operations. If he/she approves the recommendation, the Permanent Mission of the uniformed personnel concerned is notified and the expenses of the repatriation are paid by the relevant Member State. Among the 193 allegations against uniformed personnel, the head of mission decided that no further action was necessary for 50 allegations; 3 allegations were pending a preliminary investigation, 7 allegations were deemed unsubstantiated, 3 were substantiated and 15 were submitted to Headquarters for disciplinary action as at 31 December 2005. Seventy-six allegations were under investigation by OIOS.

Thirty-nine allegations against uniformed personnel were also sent to the Board of Inquiry; of these, 2 were pending investigation, 18 were found unsubstantiated, and allegations were substantiated in 19 cases as at 31 December 2005. In substantiated cases, the military personnel were repatriated on disciplinary grounds. The Department of Peacekeeping Operations is following up with Member States to obtain information on disciplinary and/or criminal action taken.

II. Observations

9. The total number of 373 allegations of sexual exploitation and abuse registered in 2005 was considerably higher than the 121 allegations reported in 2004. The increase in allegations may reflect, in part, greater awareness and use of reporting mechanisms. It will remain important for the Organization to continue to improve reporting mechanisms and to analyse the data received in order to fully understand the scope and nature of the problem of sexual exploitation and abuse.

10. Thirty-three allegations were reported from all United Nations entities other than the Department of Peacekeeping Operations. Of these allegations, 14 related to the distribution of pornography through e-mail while 7 involved sex with minors. None of the allegations against United Nations staff or United Nations Volunteers from these United Nations entities related to sexual assault or rape.

11. The majority of all allegations, or 340 of the total 373 allegations, are from the Department of Peacekeeping Operations.

- Of the 123 allegations against United Nations staff and other United Nations civilian personnel, 53 allegations were categorized "other", which included 15 allegations of distribution of pornography over e-mail, 8 allegations of inappropriate relationships with the local population and 3 paternity claims. Six of the allegations related to sexual assault and rape.
- Of the 217 allegations against uniformed personnel, 82 allegations were categorized "other", which included 19 allegations of inappropriate relationships with the local population, 12 paternity claims, 3 allegations of distribution of pornography and 2 allegations of food in exchange for sex. Sixty-eight allegations involved sex with prostitutes and 43 allegations related to sex with minors. Twenty-four allegations involved sexual assault and rape.

III. Implementation of special measures for protection from sexual exploitation and sexual abuse

12. During 2005, continued progress was made in implementing baseline measures to discourage the occurrence of sexual exploitation and abuse and to facilitate responding to and reporting on such incidents when they occur. According to the Secretary-General's bulletin on sexual exploitation and abuse (ST/SGB/2003/13), all entities are to uphold certain specific minimum standards, including:

(a) The designation of a focal point for receiving complaints of sexual exploitation and abuse in each United Nations entity, and informing staff of the existence and purpose of the focal point. Entities with field operations and missions

are also required to inform the local population of the existence and purpose of the focal point;

(b) Distribution of Secretary-General's bulletin ST/SGB/2003/13;

(c) Taking prompt action in accordance with established rules and procedures to deal with cases of staff misconduct;

(d) Promptly informing the Department of Management at Headquarters of investigations into cases of sexual exploitation and abuse, and the actions an office has taken as a result.

13. Since 2004, all entities have taken steps to comply with the standards set out in the Secretary-General's bulletin. The Office of Human Resources Management continues to monitor compliance with the bulletin.

14. On 7 January 2005, in response to ongoing allegations of sexual exploitation and abuse by United Nations staff and related personnel, the Executive Committees on Peace and Security and on Humanitarian Affairs established a joint Task Force on Protection from Sexual Exploitation and Abuse, chaired by the Department of Peacekeeping Operations and the United Nations Office for the Coordination of Humanitarian Affairs, to build on the work already achieved by the Inter-Agency Standing Committee to prevent and respond to sexual exploitation and abuse. The Executive Committees stressed the need for the United Nations to act to the highest standards of accountability and for concerted system-wide action to respond to allegations of sexual exploitation and abuse by United Nations staff and related personnel, which they viewed as a serious threat to the integrity of the United Nations.

15. The Task Force was mandated, within the overall aim of preventing sexual exploitation and abuse, to develop policy recommendations to establish a common level of understanding regarding managerial responsibilities and to create a stronger support environment for dealing with sexual exploitation and abuse, both at Headquarters and in the field. Four working groups were created to address (i) managerial accountability; (ii) organizational aspects of change; (iii) assistance to victims; and (iv) a common communication strategy.

16. The Task Force developed mechanisms for accountability and for creating a culture of responsibility, including providing clear guidance and support to managers for dealing with the problem of sexual exploitation and abuse in the particular environments in which the United Nations operates. The Task Force also prepared draft guidance on the application of the Secretary-General's bulletin. Through a year-long process of broad-based consultations with United Nations departments, agencies, funds and programmes, Member States, non-governmental organizations and other interested actors, the Task Force developed a draft policy statement and comprehensive strategy on assistance and support to victims of sexual exploitation and abuse by United Nations staff and related personnel, for the consideration of Member States in response to General Assembly requests.[1] The Task Force has coordinated its work with the Department of Peacekeeping

[1] See *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 19* (A/59/19/Rev.1, part two, para. 34); General Assembly resolution 59/300 of 30 June 2005, para. 2; and General Assembly resolution 60/1 of 15 September 2005, para. 165.

Operations Task Force on Sexual Exploitation and Abuse, which is dealing with similar issues.

17. New initiatives were also undertaken to train and raise staff awareness. A training programme for focal points for protection from sexual exploitation and abuse was developed and piloted in Ethiopia and Eritrea and will be finalized for distribution in 2006. A training video for use by all United Nations departments, agencies, funds and programmes and partners is also under development and contributions were made to the ongoing comprehensive training programme on investigation protocols initiated by the International Council of Voluntary Agencies.

18. In March 2005, the report of the Adviser to the Secretary-General on a comprehensive strategy to eliminate future sexual exploitation and abuse in United Nations peacekeeping operations ("Zeid report") (A/59/710) was presented to the General Assembly. The actions which have been taken by the Department of Peacekeeping Operations in response to the recommendations of the Zeid report are outlined in the report of the Secretary-General prepared pursuant to General Assembly resolution 59/296 on preventing and addressing sexual exploitation and abuse in all United Nations activities (A/60/862).

19. Although much was achieved in 2005, further strengthening of the measures to prevent sexual exploitation and abuse are needed. While staff have become increasingly aware of their responsibilities under the Secretary-General's bulletin, few local communities are aware of the standards of conduct which United Nations staff and related personnel must uphold and how to come forward when violations occur. In particular, the in-country networks which were to underpin coordinated prevention efforts in the field, have not been established in several places or are not functioning properly.

20. There are very few services available for victims. This has had an impact on outreach to the community and restoring confidence in the Organization's readiness to address the problem of sexual exploitation and abuse. The networks are to be established under the auspices of the Resident Coordinator/Humanitarian Coordinator in each country where the United Nations has a presence. Stronger engagement of United Nations leadership in the field mechanisms will help improve their effectiveness. A failure to prevent sexual exploitation and abuse increases the risk of it occurring and creates additional barriers to reporting, as people lose faith that their complaints will be taken seriously and handled confidentially and that the alleged perpetrators will be investigated and disciplined.

IV. Conclusions

21. The Secretariat anticipates that increased public awareness about the availability of measures to prevent sexual exploitation and sexual abuse may lead to increased number of allegations. Through strengthening community outreach and reporting mechanisms, it also hopes to gain a better understanding of the extent of the problem and improve its own vigilance and response. The Secretariat remains committed to changing the organizational culture that permits such acts and urges Member States to provide their full support to both assisting the Organization in its efforts and adopting the necessary policies to ensure that the zero-tolerance policy is equally applied to all troop contingents.

22. The General Assembly is requested to take note of the present report.

Annex I

Nature of allegations, by United Nations entity and category of personnel

1 January-31 December 2005

Nature of allegation	*United Nations staff*[a]	*Other United Nations civilian personnel*[b]	*Civilian police personnel*[c]	*Military personnel*[d]	*Total*
Department of Peacekeeping Operations					
Sex with minors	11	6	4	39	**60**
Employment for sex	15	6	0	0	**21**
Sex with prostitutes	15	10	8	60	**93**
Sexual assault	1	0	0	8	**9**
Rape	5	1	1	15	**22**
Other	34	19	11	71	**135**
Total	**81**	**42**	**24**	**193**	**340**
UNV					
Sex with minors	0	4	—	—	**4**
Employment for sex	0	0	—	—	**0**
Sex with prostitutes	0	3	—	—	**3**
Sexual assault	0	0	—	—	**0**
Rape	0	0	—	—	**0**
Other (distribution of pornography via e-mail)	0	14	—	—	**14**
Total	**0**	**21**	**0**	**0**	**21**
UNHCR					
Sex with minors	1	1	—	—	**2**
Employment for sex	0	0	—	—	**0**
Sex with prostitutes	0	0	—	—	**0**
Sexual assault	0	0	—	—	**0**
Rape	0	0	—	—	**0**
Other (sexual exploitation of beneficiaries)	4	1	—	—	**5**
Total	**5**	**2**	**0**	**0**	**7**

Nature of allegation	United Nations staff of			
	Department of Political Affairs	UNOPS	UNRWA	WFP
Sex with minors	0	0	0	1
Employment for sex	0	0	0	0
Sex with prostitutes	1	0	0	1
Sexual assault	0	0	0	0
Rape	0	0	0	0
Other (improper relationship with local personnel)	0	1	0	0
Other (suggestion to grant services in return for sex)	0	0	1	0
Total	**1**	**1**	**1**	**2**

Nature of allegation	United Nations staff[a]	Other United Nations civilian personnel[b]	Civilian police personnel[c]	Military personnel[d]	Totals
Totals					
Sex with minors	13	11	4	39	**67**
Employment for sex	15	6	0	0	**21**
Sex with prostitutes	17	13	8	60	**98**
Sexual assault	1	0	0	8	**9**
Rape	5	1	1	15	**22**
Other	40	34	11	71	**156**
Total	**91**	**65**	**24**	**193**	**373**

[a] Including all international and locally recruited staff under the 100, 200 or 300 series of Staff Rules.

[b] Including individual contractors, consultants, Junior Professional Officers and United Nations Volunteers.

[c] Including formed police units in the Department of Peacekeeping Operations.

[d] Including members of military contingents, United Nations military staff officers, military observers and military liaison officers.

Annex II

Status of investigations reported in 2005 (all United Nations entities except the Department of Peacekeeping Operations)

		Status of investigation as at 31 December 2005		
Entity	*Total allegations received*	*Unsubstantiated or closed*	*Pending*	*Further investigation and possible disciplinary action*
UNV	21	1	0	20
UNHCR	7	3	1	3
WFP	2	0	0	2
Department of Political Affairs	1	1	0	0
UNOPS	1	1	0	0
UNRWA	1	1	0	0

Annex III

Department of Peacekeeping Operations: status of investigations

(1 January-31 December 2005)

				Status of investigations as at 31 December 2005							
				Preliminary Investigation				*Board of Inquiry*			
Category of personnel	*Total number of peacekeeping personnel*[a]	*Total allegations received*[b] *(1)*	*No further actions deemed necessary by Head of Mission (2)*	*Pending (3)*	*Sent to Headquarters for disciplinary action (4)*	*Unsubstantiated (5)*	*Substantiated (6)*	*Pending (7)*	*Substantiated (8)*	*Unsubstantiated (9)*	*Under investigation by OIOS*[d] *(10)*
Civilians	**17 133**	**123**	4	1	33	4	14[c]	1	1	14	51
Civilian police	**7 241**	**24**	0	3	0	6	0	2	4	0	9
Military	**62 597**	**193**	50	3	15	7	3	2	19	18	76
Total peacekeeping personnel	**86 971**	**340**	**54**	**7**	**48**	**17**	**27**	**5**	**24**	**32**	**136**

[a] Total numbers as at December 2005.

[b] Sum of columns (2) through (10) may exceed the total in column 1 because some cases may have been subject to more than one action.

[c] These cases were subject to administrative actions, including written reprimands and the garnishing of staff salaries.

[d] OIOS reported that they received 134 cases for investigations in 2005. Owing to separate databases, there are discrepancies in the numbers reported by OIOS and the Department of Peacekeeping Operations for each category.

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Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations

Comprehensive report prepared pursuant to General Assembly resolution 59/296 on sexual exploitation and sexual abuse, including policy development, implementation and full justification of proposed capacity on personnel conduct issues

Report of the Secretary-General*

Summary

The present report is submitted pursuant to section XIV, paragraph 4, of General Assembly resolution 59/296 of 22 June 2005, and provides a comprehensive justification for a proposed dedicated capacity to address conduct and discipline issues in United Nations peacekeeping operations as well as an overview of the Department of Peacekeeping Operations comprehensive strategy on sexual exploitation and abuse by United Nations peacekeeping personnel. This justification includes analysis of the aspects listed in section XIV, paragraphs 2, 3 and 4, of resolution 59/296.

To address the problems of sexual exploitation and abuse cases in its field missions, the Department of Peacekeeping Operations has developed a comprehensive strategy on sexual exploitation and abuse by United Nations peacekeeping personnel, based primarily on the broad package of reforms endorsed by the General Assembly in 2005 in its resolution 59/300.

* The document was delayed owing to additional technical and substantive consultations.

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The Department's strategy is a three-pronged approach, composed of measures aimed at preventing misconduct, enforcing United Nations standards of conduct and undertaking remedial action. Significant progress has been made to date to implement this strategy. For instance, considerable emphasis has been placed by the Department on communicating to the leadership of peacekeeping operations their responsibilities in terms of addressing sexual exploitation and abuse. Legal agreements have been modified to ensure that all civilian peacekeeping personnel and experts on mission are bound by the standards of my bulletin on special measures for protection from sexual exploitation and abuse (ST/SGB/2003/13). In addition, a wide range of awareness-raising and training materials have been developed on United Nations standards of conduct, including sexual exploitation and abuse, which have been disseminated to peacekeeping operations, Member States and the wider United Nations system. Furthermore, between 1 January 2004 and mid-May 2006, the United Nations completed investigations into allegations of sexual exploitation and abuse involving 307 peacekeeping personnel in all missions, resulting in 16 civilians being dismissed and 155 uniformed peacekeeping personnel being sent home.

A longer-term, dedicated capacity to address conduct and discipline issues, in the form of conduct and discipline teams, is required both at the Department of Peacekeeping Operations, Headquarters, and in all its field missions. Such conduct and discipline teams are an essential resource to enable heads of mission to fulfil their responsibilities to maintain good order and discipline in their missions. These teams will provide the head of mission with strategic guidance and an overview of the state of discipline in the mission, which was hitherto unavailable. These teams will ensure that a systematic and consistent approach is taken to conduct and discipline issues in peacekeeping operations.

With more than 85,000 United Nations peacekeeping personnel in the field, dedicated resources to address conduct and discipline issues are a necessity for a Department striving towards a professional and efficient approach to peacekeeping.

I. Introduction

1. As the allegations of widespread sexual exploitation and abuse involving United Nations peacekeeping personnel in the Democratic Republic of the Congo in 2004 surfaced, it became clear that the measures in place in peacekeeping operations to prevent such misconduct were manifestly inadequate. I therefore began a process to determine the nature and scope of the problem. In July 2004, I invited His Royal Highness Prince Zeid Ra'ad Zeid Al-Hussein, Permanent Representative of Jordan to the United Nations, to act as my Special Adviser on sexual exploitation and abuse by United Nations peacekeeping personnel. In response to a request made by the Special Committee on Peacekeeping Operations (see A/59/19/Rev.1, part one) and at my invitation, my Special Adviser, Prince Zeid, prepared a comprehensive report with recommendations on sexual exploitation and abuse by United Nations peacekeeping personnel (henceforth referred to as the "Zeid report" (see A/59/710).

2. The overarching recommendation of the Zeid report was that the United Nations must establish and implement a comprehensive strategy to eradicate sexual exploitation and abuse by United Nations peacekeeping personnel. The Zeid report provided bold recommendations directed at both the Secretariat and Member States relating to four main areas of concern: the current rules on standards of conduct; the investigative process; organizational, managerial and command responsibility; and individual disciplinary, financial and criminal accountability. As testament to the gravity with which the Special Committee on Peacekeeping Operations viewed this problem, the Special Committee debated the recommendations of the Zeid report in an extraordinary session in April 2005 and reiterated its commitment "to implementing fundamental, systemic changes as a matter of urgency" (see A/59/19/Rev.1, part two, para. 5).

3. Following that session, the Department of Peacekeeping Operations developed a comprehensive strategy to address sexual exploitation and abuse in all United Nations peacekeeping operations, based on the recommendations contained in the 2005 report of the Special Committee on Peacekeeping Operations (see A/59/19/Rev.1) endorsed by the General Assembly in its resolution 59/300. The Department's comprehensive strategy also incorporates elements from an earlier United Nations system-wide Plan of Action to address sexual exploitation and abuse, produced by the United Nations Inter-Agency Standing Committee Task Force on Sexual Exploitation and Abuse in 2002, and prior activities by the Department to address conduct issues undertaken before 2004.[1] The implementation of the present reform programme is, as the Special Committee stated at its 2006

[1] The Department's efforts to address conduct and discipline issues in its field operations, prior to 2004, include the following initiatives: issuing United Nations standards of conduct on pocket cards to uniformed peacekeeping personnel in 1998, provision of training materials on codes of conduct to Member States for use in predeployment training of uniformed personnel in 2001, anti-trafficking programmes in the United Nations Mission in Bosnia and Herzegovina in 2001, the development of a mission-specific code of conduct in the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) in 2002, compilation of the Department's disciplinary procedures for civilian, police and military personnel as a resource for managers in peacekeeping operations in 2003 and development of a departmental human trafficking policy in early 2004.

session, to be "viewed as a process that should culminate at the earliest opportunity and preferably by 1 June 2007" (see A/60/19, para. 64).

4. The process of determining the scope of the problem of sexual exploitation and abuse and the Zeid report in particular, highlighted a range of systemic problems with how the United Nations addressed all forms of misconduct in peacekeeping operations, not only sexual exploitation and abuse. For instance, the Zeid report underlined a number of problems relating to sexual exploitation and abuse, which also applied to other forms of misconduct. Those included, inter alia, a lack of awareness of United Nations standards of conduct, weak or non-existent complaints mechanisms, incomplete data on misconduct allegations and cases and insufficient capacity in missions to investigate misconduct in a timely manner.

5. To better understand the environment in which sexual exploitation and abuse was occurring, in April 2005 the Under-Secretary-General for Peacekeeping Operations requested the Office of Internal Oversight Services to review the state of discipline in field missions led by the Department of Peacekeeping Operations. The review found that indiscipline existed to varying degrees in all missions. It found that "Headquarters guidance was inadequate in terms of policies, procedures and guidelines; enforcement of policies and procedures at Headquarters and in the field was poor; and resources and skills were insufficient to prevent misconduct and to enforce the standards of conduct", despite recent efforts by management to address the problem (see A/60/713, summary). The recommendations of the Office of Internal Oversight Services review support those of the Special Committee on Peacekeeping Operations (see A/59/19/Rev.1).

6. The results of the Office of Internal Oversight Services review reinforced the need to implement the Department's comprehensive strategy on sexual exploitation and abuse by United Nations peacekeeping personnel on an urgent basis, and in so doing, address conduct and discipline issues more generally in field missions. The recommendations from this review are currently being integrated into the Department's wider efforts to address all conduct and discipline issues in its missions.

7. The Zeid report saw a requirement for "a few dedicated personnel at Headquarters and in peacekeeping missions to implement ... measures ..." aimed at developing and implementing a zero-tolerance policy on sexual exploitation and abuse (see A/59/710, para. 42). It encouraged the development of a process started by the Department of Peacekeeping Operations to establish full-time personnel conduct officer positions in peacekeeping operations in Burundi, Côte d'Ivoire, the Democratic Republic of the Congo and Haiti to address all conduct issues, including sexual exploitation and abuse. In addition, the Zeid report recommended the creation of a dedicated capacity at Headquarters to provide oversight of conduct and discipline issues and provide guidance in this area to all field missions.

8. At its 2005 session, the Special Committee on Peacekeeping Operations encouraged the development of full-time personnel conduct officer positions in field missions, with due attention to avoiding duplication of resources and functions, and recommended the strengthening of capacity at Headquarters. Further to General Assembly resolution 59/300, in the last quarter of 2005, the Department of Peacekeeping Operations established a Conduct and Discipline Team at its Headquarters (hereafter referred to as the "Headquarters team"), which represents a full-time, dedicated capacity to address conduct and discipline issues in all United

Nations peacekeeping operations. In addition, the Department established conduct and discipline teams (hereafter referred to as "mission team(s)") in its peace operations in the United Nations Operation in Burundi (ONUB), the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), the United Nations Stabilization Mission in Haiti (MINUSTAH), the United Nations Operation in Côte d'Ivoire (UNOCI), the United Nations Mission in Liberia (UNMIL), the United Nations Integrated Office in Sierra Leone (UNIOSIL), the United Nations Mission in the Sudan (UNMIS) and the United Nations Office in Timor-Leste (UNOTIL). Such teams are the primary mechanism to implement the Department's comprehensive strategy on sexual exploitation and abuse by United Nations peacekeeping personnel and to address conduct and discipline issues more broadly.

II. A coordinated approach within the United Nations system

9. A coordinated approach has been taken by the United Nations system during the development and implementation of my zero-tolerance policy regarding sexual exploitation and abuse. Following allegations of sexual exploitation and abuse involving humanitarian and peacekeeping personnel in West Africa in 2002, the United Nations Inter-Agency Standing Committee Task Force on Sexual Exploitation and Abuse, which included participation from the Department of Peacekeeping Operations, developed a Plan of Action for the entire United Nations system to prevent sexual exploitation and abuse in humanitarian crises. In 2004, further to the promulgation of my bulletin on special measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13), which outlined the standards of conduct expected of United Nations staff with regard to sexual exploitation and abuse and related duties of managers, I tasked the Executive Committee on Humanitarian Affairs to coordinate its implementation in the field. The Task Force undertook this work on behalf of the Executive Committee and developed a number of tools and guidelines on how to implement my bulletin in the field. The Department adapted that guidance to meet the specificities of peacekeeping environments and sent it to heads of mission in July 2004 for implementation.

10. On 7 January 2005, in response to ongoing allegations of sexual exploitation and abuse by United Nations personnel including peacekeepers, a joint meeting of the Executive Committees on Humanitarian Affairs and on Peace and Security established a joint Task Force on Protection from Sexual Exploitation and Abuse, chaired by the Department of Peacekeeping Operations and the Office for the Coordination of Humanitarian Affairs. The Task Force aimed at establishing a common level of understanding among senior management regarding their responsibilities and creating a stronger support environment for dealing with sexual exploitation and abuse, both at Headquarters and the field. This work included addressing organizational aspects of change and providing assistance to victims. Through a year-long process of consultations with the United Nations system, non-governmental organizations (NGOs), Member States and other interested actors, the Task Force developed a draft policy statement and comprehensive strategy on assistance and support to victims of sexual exploitation and abuse by United Nations staff and related personnel, for consideration by the General Assembly. In addition, the Task Force has produced guidance on the application of my bulletin

(ST/SGB/2003/13), which will shortly be disseminated to the United Nations system.

11. In peacekeeping mission areas, the United Nations is coordinating the implementation of my zero-tolerance policy on sexual exploitation and abuse through in-country networks on sexual exploitation and abuse. These networks, which include international NGOs, ensure coherence of United Nations and NGO efforts in the field. However, the Secretariat is aware of and is addressing the fact that such networks do not exist or function properly in all mission areas.

III. The Department of Peacekeeping Operations comprehensive strategy on sexual exploitation and abuse by United Nations peacekeeping personnel

12. The Department of Peacekeeping Operations comprehensive strategy on sexual exploitation and abuse by United Nations peacekeeping personnel is a three-pronged strategy, comprised of measures aimed at prevention of misconduct; enforcement of United Nations standards of conduct; and remedial action. A detailed account of such measures can be found in my report on implementation of the recommendations of the Special Committee on Peacekeeping Operations (A/60/640) and its matrix on implementation of the 2005 recommendations of the Special Committee on Peacekeeping Operations (A/60/640/Add.1 and Corr.1). As a strategic decision, the Department is placing the emphasis on ensuring good conduct and discipline primarily through efforts aimed at preventing misconduct. The measures being developed and implemented under the Department's three-pronged strategy to address sexual exploitation and abuse are described below.

Prevention measures

13. The Department's prevention measures have focused on raising awareness among United Nations peacekeeping personnel of the standards of conduct expected of them, training on such standards and their obligations in this area, as well as improving living conditions through welfare and recreation activities.

14. By decision of the General Assembly in 2005 (see resolution 59/300), the standards relating to sexual exploitation and abuse stated in my bulletin (ST/SGB/2003/13) and binding on United Nations staff were adopted as a uniform standard of conduct for all other categories of peacekeeping personnel. I can report that the United Nations has completed the amendment of legal agreements for all categories of civilian peacekeeping personnel, other than United Nations staff, to ensure that they are also bound by the standards of my bulletin. As a result, at present, United Nations Volunteers, United Nations consultants and individual contractors (see ST/AI/1997/Amend.1), corporate contractors, United Nations peacekeeping personnel with the status of "experts on mission" such as United Nations police officers and military observers as well as civilian contractors entering into cooperative agreements with the United Nations Mine Action Service are all bound by the standards of my bulletin. Furthermore, United Nations Staff Regulations have been amended with effect from 1 January 2006 to clarify that sexual exploitation and abuse constitutes serious misconduct and, as such, may be grounds for disciplinary action, including summary dismissal (see ST/SGB/2006/4). Implementation of this General Assembly decision with regard to military

contingent personnel will be addressed through the revisions I have proposed to Member States on the draft 1997 model memorandum of understanding between the United Nations and troop-contributing countries. These revisions outline, inter alia, United Nations standards of conduct relating to sexual exploitation and abuse. The standards of my 2003 bulletin are widely promulgated to peacekeeping personnel through a variety of mechanisms, including check-in procedures, induction briefings, training sessions on United Nations standards of conduct, poster campaigns and radio broadcasts, as well as through outreach to the host population.

15. The Department of Peacekeeping Operations, in coordination with the wider United Nations system, has developed generic training materials on United Nations standards of conduct relating to sexual exploitation and abuse, entitled "Module 1: Prevention of sexual exploitation and abuse". Training on Module 1 is mandatory at induction for all peacekeeping personnel as of July 2005, and the materials were sent to Member States and regional peacekeeping training centres in October 2005 for use in predeployment training. A number of missions are reporting high coverage of personnel trained in Module 1 in recent months. For instance, for the period September 2005 to April 2006, UNMIL reported that an average of 94 per cent of all categories of peacekeeping personnel, including 88 per cent of the mission's senior management, were trained in the module. Other awareness-raising and training materials on the issue of United Nations standards of conduct include an on-line, e-learning standards of conduct module for use by civilian personnel prior to deployment, anti-trafficking posters and brochures as well as a brochure on a peacekeeper's duty of care that highlight the standards of my bulletin (ST/SGB/2003/13), developed with the Department of Public Information. In addition, a Code of Conduct video, which includes messages on the standards of my bulletin and is available in 12 languages of troop-contributing countries, is being sent to Member States and regional peacekeeping training centres for use in predeployment training. In 2005, eight missions were trained in how to deliver Module 1 and in February 2006, the Department conducted capacity-building for eight newly established conduct and discipline teams from field missions on policy issues, which included identifying areas for further guidance and training.

16. In July 2005, all field missions were requested to provide welfare and recreation facilities to all categories of peacekeeping personnel, within their existing resources, and to establish welfare committees and designate welfare focal points. These measures are intended to alleviate the conditions of hardship, particularly in missions operating in highly volatile environments. Several missions have established multi-purpose facilities offering sporting, recreational and dining facilities. For instance, in Bunia, in the Democratic Republic of the Congo, the mission has used existing resources to set up a reporting and evacuation centre, which also functions as a welfare and recreational facility for all categories of peacekeeping personnel, United Nations agencies and international NGOs on the ground. In ONUB, one troop-contributing country provides its soldiers with free satellite television and telephone facilities, and offers spiritual guidance and counselling to maintain morale and good conduct among its soldiers. Furthermore, that same troop-contributing country has promoted good relations between its contingents and the host community by organizing sporting events with local teams, and renovating buildings in the local community such as an orphanage, using the mission's Quick-Impact Projects funds.

17. In May 2006, the Department of Peacekeeping Operations launched a Community of Practice network that will allow its conduct and discipline teams in field missions in particular to access a central repository of documents and web links in this area, as well as exchange experiences and lessons learned. The network facilitates the exchange of information and assists in the Department's development and dissemination of guidance and best practices to all participants.

Enforcement measures

18. Missions employ a wide range of measures to enforce compliance with United Nations standards of conduct. These include establishing mechanisms to facilitate reporting of complaints; prompt referral of allegations for investigation; tracking and reporting on misconduct allegations and cases; and examining ways to strengthen the accountability of civilian personnel for crimes committed while serving in United Nations peacekeeping operations. In addition, missions are putting in place measures tailored to their mission environments, such as designating premises and areas where prostitution is suspected or known to occur as off-limits to mission personnel and requiring contingent personnel to wear their uniforms at all times when outside their barracks.

19. In accordance with the duties for managers laid out in my bulletin (ST/SGB/2003/13), all heads of mission have designated focal points to receive complaints of sexual exploitation and abuse by peacekeeping personnel. These focal points have been instrumental in setting up a variety of mechanisms to receive complaints, which are confidential and accessible to both victims and personnel in remote field locations. Such mechanisms include private meeting rooms to receive complaints in a confidential setting, dedicated telephone hotlines, secure e-mail addresses, locked drop-boxes, acceptance of anonymous complaints and regional focal points to receive complaints in field locations. Messages on complaints mechanisms are designed with the cultural, religious, economic, security and political specificities of the mission environment in mind to minimize false allegations.

20. Between 1 January 2004 and 10 May 2006, investigations were conducted into allegations of sexual exploitation and abuse involving 307 peacekeeping personnel in all missions, resulting in the summary dismissal of 16 civilians, repatriation of 16 members of Formed Police Units and 139 repatriations on disciplinary grounds of military personnel, including 6 commanders. In accordance with General Assembly resolution 59/287, the Department of Peacekeeping Operations has transferred sexual exploitation and abuse investigations to the Office of Internal Oversight Services. The Department and the Office have developed joint interim cooperation procedures on the handling of allegations and investigations of category I (serious) and II (minor) misconduct allegations involving all categories of peacekeeping personnel. These interim procedures are undergoing revision to reflect lessons learned emerging from the field.

21. The Department of Peacekeeping Operations is currently developing the structure of the comprehensive data tracking and reporting system on misconduct allegations for all categories of peacekeeping personnel in all missions. Once completed, the tracking and reporting system will provide authorized users with an important tool with which to monitor misconduct and will also help ensure that prior offenders are not rehired. Pending the development of the comprehensive database,

the Department began training mission staff in May 2006 on the use of a web-based mechanism for authorized mission users to securely store and access reported allegations of misconduct. This interim system ensures confidentiality of reported allegations and will facilitate the collection and transfer of information on allegations to the Office of Internal Oversight Services in accordance with General Assembly resolution 59/287.

22. In 2005, I appointed a Group of Legal Experts to provide advice on how the original intent of the Charter of the United Nations can be achieved, namely to ensure that staff and experts on mission would not be exempt from the consequences of criminal acts committed in a United Nations peacekeeping operation, nor unjustly penalized, in accordance with due process. The work of the Group has been completed and I will shortly transmit the report of the Group to the General Assembly for its consideration.

Remedial measures

23. A set of standard operating procedures and guidelines on public information activities relating to sexual exploitation and abuse were finalized in April 2006 and will shortly be sent to field missions for implementation. These materials provide guidance on explaining my zero-tolerance policy on sexual exploitation and abuse to the media, United Nations personnel and the host population, reporting complaints and providing information to victims on the status of misconduct allegations. The guidance will also be instrumental in helping to restore the reputation of alleged perpetrators and the image and credibility of the United Nations and Member States where allegations are proven to be unfounded, as well as to minimize the occurrence of false allegations.

24. Pending the finalization of an organizational policy statement and strategy on victim assistance, the Department of Peacekeeping Operations has instructed its missions to refer any person alleging to have been sexually exploited or abused by United Nations peacekeeping personnel to medical and psychosocial services available in the host country, with costs to be covered from existing mission budgets.

IV. Implementation of the Department of Peacekeeping Operations comprehensive strategy on sexual exploitation and abuse in 2006 and beyond

25. The Department's Headquarters team will take the lead in implementing the Department's comprehensive strategy on sexual exploitation and abuse in 2006 and beyond and will thus play a key role in implementing the activities described in the present section.

26. A number of the Headquarters team's tasks are ongoing, such as providing oversight on conduct and discipline issues in field missions, monitoring and reviewing cases of misconduct from all missions and updating guidance materials on conduct and discipline issues. Other tasks of the Headquarters team will entail addressing specific issues identified by the General Assembly in 2005, such as establishing a second panel of legal experts on my behalf and the development of new guidance, and are described below.

27. The Department of Peacekeeping Operations will hold mission managers and commanders accountable for their roles in fulfilling their duties as outlined in section 4 of my bulletin (ST/SGB/2003/13). This will entail communicating to mission managers and commanders their responsibilities in terms of addressing sexual exploitation and abuse and ensuring accountability through performance evaluation.

Communicating managerial and command responsibilities on conduct and discipline issues

28. In 2005, my Deputy visited five peacekeeping operations to meet with senior managers and commanders and United Nations staff to reinforce my message of zero tolerance for sexual misconduct and to understand the challenges faced by field missions in implementing that policy. This issue is now an integral part of annual meetings with, and training programmes for, senior mission leadership.

29. The Department of Peacekeeping Operations, through its Headquarters team, is developing a mission directive on sexual exploitation and abuse for senior mission leadership. The directive will clearly communicate the obligations of mid- and senior-level managers and commanders in terms of establishing prevention, enforcement and remedial measures relating to sexual exploitation and abuse. Since this mission directive will include information on policy issues still to be presented to the General Assembly, such as victim assistance and welfare and recreation, it is expected that the directive will be issued in the first half of 2007. The Department is also currently developing training materials for mid-level managers and commanders and senior mission leadership on their responsibilities in addressing conduct and discipline issues, for delivery to field missions in 2006/7.

Evaluating managerial and command performance on conduct and discipline issues

30. Managers and commanders will be regularly evaluated for fulfilling their managerial and command responsibilities on conduct and discipline issues through the performance appraisal system of the Department of Peacekeeping Operations. In the coming months, the Department will be reviewing its instructions to field missions to ensure that conduct and discipline issues are included in annual performance evaluations of civilian, police and military managers and commanders. The Department is also examining ways to strengthen managerial accountability to address sexual exploitation and abuse through the efforts undertaken by the United Nations joint Task Force on Protection from Sexual Exploitation and Abuse.

Priorities for 2006 and beyond

31. Following discussions with Member States in early 2006, I have prepared further revisions to the draft 1997 model memorandum of understanding between the United Nations and troop-contributing countries to reflect the reforms proposed by the Zeid report and those endorsed by the General Assembly in 2005. As requested by the Special Committee on Peacekeeping Operations, these will be presented to a Group of Experts from Member States in June 2006 (see A/60/19, para. 75). The revisions include a new clause and annex relating to United Nations standards of conduct as well as an article on the conduct of investigations by a

national investigations officer into allegations of criminal offences committed by military contingent members serving in United Nations peacekeeping operations.

32. The Office of Internal Oversight Services gives priority to investigating the most egregious allegations and those matters representing the highest risk to the Organization. Nevertheless, the Office of Internal Oversight Services does not have sufficient resources to allow it to investigate all allegations of serious misconduct involving peacekeeping personnel in a timely manner resulting in a backlog of serious misconduct cases to be investigated. Given that most mission personnel rotate frequently, particularly military contingents, delays in investigations present a challenge to the ability of the United Nations to conduct effective investigations to substantiate or disprove allegations, and thus allow appropriate action to be taken in a timely manner. Missions have tried to find solutions at the field level. For instance, in MONUC, additional Office of Internal Oversight Services investigators are being recruited against vacant positions in the mission's existing budget. Such initiatives are but short-term solutions, however. I urge Member States to provide the full complement of resources requested by the Office of Internal Oversight Services in order to discharge its obligations effectively under General Assembly resolution 59/287.

33. The Organization's policy statement and comprehensive strategy on assistance and support to victims of sexual exploitation and abuse by United Nations staff and related personnel will shortly be transmitted to the General Assembly. Once agreed upon, conduct and discipline teams in peacekeeping operations will play a lead role in overseeing its implementation.

34. I will submit to the Special Committee on Peacekeeping Operations, on an urgent basis, a comprehensive review of the welfare and recreation needs of all categories of peacekeeping personnel, which will include a cost-benefit analysis and will be developed in close consultation with Member States. Pending the completion of this review, the Department of Peacekeeping Operations is finalizing an interim policy and standard operating procedures for field missions on welfare and recreation. I would urge troop-contributing countries to ensure that adequate provision is made for welfare and recreation facilities for their contingents in the field.

35. In 2005, nearly half of all sexual exploitation and abuse allegations made against United Nations peacekeeping personnel involved prostitution or transactions of a similar nature where money, goods or services were exchanged for sexual favours. Adherence to the United Nations prohibition on engagement in prostitution among both civilians and uniformed personnel would therefore bring the United Nations considerably closer towards full implementation of my zero-tolerance policy of sexual exploitation and abuse. To that end, the Department of Peacekeeping Operations is planning to launch two campaigns in the 2006-07 period: an anti-prostitution campaign and another emphasizing peacekeepers' duty of care to the host population.

36. A second panel of legal experts will be constituted in the second quarter of 2006 to advise on how the standards contained in my bulletin (ST/SGB/2003/13) could bind contingent members prior to the conclusion of a memorandum of understanding between the United Nations and a troop-contributing country that incorporates those standards, as well as to study and propose ways to standardize the norms of conduct applicable to all categories of peacekeeping personnel.

37. In 2006/07, the Department of Peacekeeping Operations will build the capacity of mission conduct and discipline teams, particularly with regard to United Nations rules and procedures for the handling of allegations and misconduct cases and data tracking and reporting for misconduct allegations and cases. The Department's Directives for Disciplinary Matters Involving Civilian Police Officers and Military Observers, and the Directives for Disciplinary Matters Involving Military Members of National Contingents, will also be amended in the coming months to reflect the requirements of General Assembly resolution 59/287 as well as lessons learned in the field since their implementation in 2003.

V. Proposed capacity to address conduct and discipline issues

Terms of reference

38. The Headquarters team at the Department of Peacekeeping Operations develops strategies to link the Organization's overall goals and objectives on conduct and discipline with the work of the mission teams. The Headquarters team provides the overall direction for conduct and discipline issues and maintains global oversight on the state of conduct and discipline for all categories of United Nations peacekeeping personnel in all field missions led by the Department. The Headquarters team leads the development of policies, procedures and guidelines and identification of best practices on conduct and discipline issues, and develops tools and mechanisms to monitor the application of standards and policies in the field. The Headquarters team is also the main focal point for acting on all cases of misconduct received for missions within established procedures. Terms of reference for the Headquarters team is attached in annex A to the present report.

39. Conduct and discipline teams in peace operations led by the Department of Peacekeeping Operations are the principal advisers to the heads of missions on all conduct and discipline issues involving all categories of peacekeeping personnel in the mission. The mission teams support the heads of mission in designing and implementing measures to prevent misconduct, enforce United Nations standards of conduct and ensure remedial action where misconduct has occurred. They provide technical advice and guidance to senior mission leadership on United Nations rules, policies and procedures relating to conduct and discipline, and receive, assess and refer allegations of misconduct for appropriate action. The mission teams also maintain records on all misconduct allegations and cases relating to all categories of peacekeeping personnel in the mission, and liaise with investigative officials and the Headquarters team on misconduct allegations and cases. A model terms of reference for mission teams is attached in annex B to the present report. This model has been adapted by respective missions to address the specificities of the peace operation and its operating environment.

Purpose

40. The head of mission is responsible for creating and maintaining an environment in the mission area that promotes good conduct and discipline by all United Nations peacekeeping personnel. Mission teams are a management tool for the head of mission to help to plan, implement and monitor an effective strategy to address all conduct and discipline issues, including sexual exploitation and abuse. As such, mission teams strengthen the ability of managers and commanders to fulfil

their managerial and command duties "for creating and maintaining an environment that prevents sexual exploitation and abuse and sexual abuse" (see ST/SGB/2003/13, para. 4.1). While mission teams will provide guidance, support and oversight on conduct and discipline issues, accountability "for creating and maintaining an environment that prevents sexual exploitation and abuse and sexual abuse" remains with mission managers and commanders.

41. Mission teams are also a tool for heads of mission to assist in the effective implementation of the mission's mandate. By helping the head of mission to put in place an effective strategy to address conduct and discipline issues, mission teams help to protect and restore the credibility and reputation of individual mission personnel, the peacekeeping operation and the United Nations and Member States more generally. For instance, the mission team provides information to the mission's public information component on the outcome of investigations, actions taken by the United Nations such as repatriation and by Member States such as criminal prosecution, as well as prevention measures being taken by the mission.

42. By establishing an effective complaints mechanism and providing information for the mission's outreach programme on conduct issues for the host population, mission teams can help to minimize the number of false allegations motivated by economic or political reasons in particular. Mission teams will also play a lead role in ensuring the professional and systematic handling of complaints made against peacekeeping personnel, with a parallel aim to build the trust of the local population and host Government in the mission, and help to minimize retaliation against mission personnel and assets, particularly when conditions in the mission area become volatile. By promoting a systematic and consistent approach to the handling of misconduct allegations, mission teams contribute positively to personnel morale. Lastly, through a strong prevention programme, mission teams play a role in minimizing health risks to both mission personnel and the host population associated with sexual misconduct.

Nature of function

43. The specific tasks undertaken by a mission team are ongoing in nature and are required throughout the life cycle of a mission. For instance, promoting good conduct and discipline through measures such as awareness raising and training of mission personnel on United Nations standards of conduct is a constant activity as new civilian personnel arrive and uniformed personnel rotate. Similarly, United Nations standards of conduct and complaints mechanisms need to be communicated to the local population throughout the mission's presence in the host country. Although strong prevention programmes can help reduce the instances of misconduct in a mission, regrettably, misconduct may never be wholly eradicated, and mission teams are necessary to provide technical advice on administrative and disciplinary procedures, liaise with investigative bodies and monitor and provide oversight of all allegations and cases of misconduct.

44. Expertise on conduct and discipline issues is required during all phases of planning for a new mission or a change in its mandate. During the pre-mandate assessment, this expert will assist in determining the size and composition required for the mission's conduct and discipline team. Given the importance of creating an environment that promotes good conduct and discipline from the start of a mission's

life cycle, conduct and discipline officers will form part of the rapid deployment team.

Relationship to other mission functions

45. As the Office of Internal Oversight Services global review of discipline in field missions revealed, the Organization had previously monitored the conduct of peacekeepers in an ad hoc and piecemeal fashion (see A/60/713). By having a single entity in the mission dedicated to addressing conduct issues, in the form of a mission team, the head of mission will be able to ensure that a systematic and consistent approach is taken on such issues. Indeed, a mission team provides the head of mission with strategic guidance on conduct and discipline issues and an overview of the state of discipline in the mission, which has hitherto not been available to heads of mission.

46. Other mission components play important but limited roles in addressing conduct and discipline issues, largely restricted to the implementation of policies on conduct issues and the administrative tasks associated with misconduct cases. Conduct and discipline teams in missions will therefore liaise closely with all functions in a mission on a wide variety of activities relating to conduct and discipline.

47. Gender Advisers perform a specialist advisory function in peacekeeping operations. They guide all mission components in addressing the specific priorities, needs and perspectives of women and men within all policies and programmes supported by the mission throughout the transitional phase, in accordance with Security Council resolution 1325 (2000) on women, peace and security. As some forms of misconduct by peacekeeping personnel constitute gender-based violence, such as sexual exploitation and abuse, Gender Advisers support the work of mission teams typically by delivering training to mission personnel on sexual exploitation and abuse issues and helping disseminate information on United Nations standards of conduct through their civil society contacts such as women's organizations.

48. Child Protection Advisers also perform a specialist function, namely, to advise the head of mission on how to ensure that all mission activities help protect the rights of children in the host country such as child soldiers. Such advisers also monitor and report grave violations of the rights of children by parties to conflict, pursuant to Security Council resolution 1612 (2005). Since certain forms of misconduct affect children in particular, such as sexual exploitation and abuse, Child Protection Advisers assist the work of the mission team typically by incorporating messages on sexual exploitation and abuse in their training sessions on the rights of the child for contingent personnel, channelling complaints of sexual misconduct from child rights and human rights organizations to the mission team and helping to disseminate information on United Nations standards of conduct through their civil society contacts.

49. There are currently a number of administrative personnel in field missions with limited responsibilities for handling conduct and discipline issues, such as the Director of Administration, Chief Administrative Officer and Chief Civilian Personnel Officer in the civilian component and equivalent personnel in the police and military components, such as the Force Provost Marshall. Such administrative personnel support the work of the mission team typically by collating and forwarding documentation on minor and serious misconduct cases involving their

particular category of personnel to the Department of Peacekeeping Operations, and/or by carrying out administrative and personnel processes relating to administrative or disciplinary action taken by the United Nations. These administration experts also play a role in implementing policy directives on conduct issues such as ensuring that personnel under their supervision receive information on the standards of my bulletin (ST/SGB/2003/13) upon arrival in the mission area.

50. Mission conduct and discipline teams work with mission training cells to ensure that all peacekeeping personnel are trained on the mandatory Module 1. Prevention of sexual exploitation and abuse. Mission training cells are responsible for developing training plans and overseeing their implementation. Depending on staffing levels and the expertise of the trainers in the mission training cells, however, specialist personnel from the mission's conduct and discipline team may help deliver training on Module 1. Similarly, public information components are responsible for developing public information messages targeting mission personnel and the host population on United Nations standards of conduct as well as reporting to media on the outcome of investigations and on measures taken by the United Nations to ensure good conduct. However, mission teams support public information components in discharging these responsibilities through, for instance, providing content for such messages and for public statements on outcomes of investigations and administrative and/or criminal action taken against perpetrators.

Coordination

51. The Office of Internal Oversight Services is authorized pursuant to General Assembly resolution 59/287 to conduct investigations into allegations of category I offences, namely, serious misconduct allegations such as sexual exploitation and abuse, committed by all categories of United Nations peacekeeping personnel. Under the same resolution, the Office may entrust "trained programme managers" to conduct investigations of category II offences on its behalf, namely minor misconduct allegations such as drunk driving. In the context of peacekeeping operations, trained programme managers are persons authorized by the head of mission to carry out investigative functions of minor misconduct allegations. Such trained programme managers typically include personnel from the mission's Security Section, which conducts investigations into a wide range of minor misconduct allegations such as road traffic accidents. Mission conduct and discipline teams do not perform any investigative functions, but collect serious and minor misconduct allegations and provide such reports to the Office of Internal Oversight Services in a timely manner. After the Office completes an investigation of a serious misconduct allegation and transmits its report to the Department of Peacekeeping Operations, the Headquarters team carries out the follow-up action required with the relevant bodies such as the Office for Human Resources Management, the United Nations Volunteer Service, the head of mission through the mission team or Member States. Such follow-up action includes providing guidance on prevention and remedial measures to be put in place in a field mission, administrative action such as repatriation as well as disciplinary action such as termination of a staff contract. Mission teams will be the repository of information on all minor misconduct allegations and cases and will provide oversight on follow-up action taken on all such allegations.

52. In integrated and non-integrated missions alike, the mission team will coordinate its efforts on conduct and discipline issues with those of other United

Nations entities and international NGOs on the ground. For instance, in integrated missions such as ONUB, the mission team shares information on conduct and discipline issues with other United Nations entities through the United Nations Country Team. Coordination on sexual exploitation and abuse issues specifically is currently done through in-country networks on sexual exploitation and abuse, which include representation from all United Nations entities on the ground and international NGOs. These networks are chaired by the Deputy Special Representative of the Secretary-General, where that person is also the United Nations Resident Coordinator and Humanitarian Coordinator. In addition, the mission team will support efforts of other actors in the mission area by making its policies, procedures and guidelines including training materials on conduct and discipline issues available.

Reporting lines

53. For the budget period 2006/07, all mission conduct and discipline teams will report directly to the head of mission who may choose, however, to delegate the day-to-day management of the mission team to the Chief of Staff. A direct reporting line from the conduct and discipline team to the head of mission reflects the ultimate accountability of the head of mission for ensuring good conduct and discipline by all United Nations peacekeeping personnel in his/her mission. Furthermore, to safeguard the impartiality of the work of the mission team, direct access to the head of mission is required. This will also guarantee that the head of mission is advised in a timely manner of serious misconduct allegations and cases that may have a significant impact on the mission's credibility and reputation and on its ability to implement its mandate.

Resource requirements for Headquarters capacity

54. As of 1 November 2005, the Headquarters Conduct and Discipline Team was established with a total of 10 staff, including 3 disciplinary officers (for civilian, police and military cases, respectively). Those positions were funded through a combination of General Temporary Assistance, voluntary contributions, and the internal redeployment of existing resources within the Department of Peacekeeping Operations. The Headquarters team brought together personnel who had worked on disciplinary issues in isolation in the Office of Mission Support, Police Division and Military Division of the Department. The integration of these functions and the physical co-location of the respective officers facilitate development and implementation of consistent policies and procedures and ensure coordinated analysis, implementation and oversight of all misconduct cases in peace operations. The team currently reports directly to the Assistant Secretary-General for Peacekeeping Operations (Mission Support).

55. For the 2006/07 budget period, I have proposed to the General Assembly to establish a longer-term capacity at the Department of Peacekeeping Operations to address conduct and discipline issues in peacekeeping operations in the form of a Conduct and Discipline Unit headed by a Chief of Unit at the D-1 level with a total of seven Professionals and two support staff (see A/60/727, paras. 134-141). The proposed staffing for the Headquarters team takes into consideration the workload associated with addressing conduct and discipline issues for over 85,000 peacekeeping personnel in 20 peace operations led by the Department. More specifically, it takes into account the high volume of work associated with

implementing the recommendations of the Special Committee on Peacekeeping Operations reflected in the Department's comprehensive strategy on sexual exploitation and abuse and particularly the development of new policies, procedures and guidelines as well as data management systems. Furthermore, it takes into account the expected rise in the number of misconduct cases dealt with by Headquarters. The proposed grade of the Chief of the Headquarters team is a reflection of the severity of some of the misconduct cases received and the need for liaison at a senior level with Member States on policy development and implementation and individual misconduct cases, as has been argued in the past in relation to the seniority of chiefs of mission teams.

56. In 2005, the Department of Peacekeeping Operations received 340 allegations of sexual exploitation and abuse involving peacekeeping personnel in all missions (civilians (123), police (24) and military (193)) compared to a total of 105 allegations of that nature reported in 2004 (see A/59/782) and 53 reported in 2003 (see A/58/777). This represents more than a threefold increase in the total number of sexual exploitation and abuse allegations received by the Department in 2005 compared to the previous year and a sixfold increase compared to two years ago. A detailed breakdown of 2005 data on allegations of sexual exploitation and abuse involving United Nations peacekeeping personnel is attached in annex E to the present report.

57. The Secretariat has acknowledged in the past in relation to sexual exploitation and abuse allegations that "the data may still not reflect the true extent of these deplorable incidents" (see A/59/782, para. 11). The increase in the number of allegations of sexual exploitation and abuse involving United Nations peacekeeping personnel over the past three years can in part be explained by such personnel and the host population becoming more aware of United Nations standards of conduct and developing greater confidence in the ability of the United Nations to receive complaints in a confidential setting and to take swift action. Last year also saw the establishment of eight mission teams, which improved the receipt and channelling of complaints as well as record-keeping on such misconduct allegations. Furthermore, in the last quarter of 2005, the Office of Internal Oversight Services increased the number of investigators in various mission areas, which also facilitated the receipt of complaints and increased confidence in the ability of the United Nations to take rapid action when misconduct is reported.

58. In addition to allegations and cases of sexual exploitation and abuse, the Headquarters team acts on a wide range of other misconduct cases received from either the Office of Internal Oversight Services or heads of mission, such as serious misconduct cases relating to corruption and abuse of authority as well as minor misconduct cases. As of 30 April 2006, the Office of Internal Oversight Services was still investigating approximately 270 cases of serious misconduct committed in 2005 by peacekeeping personnel in all missions, and approximately 220 new allegations of serious misconduct allegedly committed in the first quarter of 2006 (see A/60/727, para. 132). The Department estimates that in 2006, its Headquarters team will have to take action on approximately 600 cases of serious and minor misconduct, the majority of which are expected to relate to sexual exploitation and abuse. That estimate is based on the number of serious misconduct cases involving United Nations peacekeeping personnel reported by the Office of Internal Oversight for 2005; the number of serious and minor misconduct cases in 2005 received by the

Department directly from missions; and the anticipated impact of mission-level efforts to address misconduct.

Resource requirements for mission capacities

59. To ensure a consistent approach in addressing conduct and discipline issues in peacekeeping operations, a template has been created for the staffing composition of mission conduct and discipline teams as well as a model terms of reference. The staffing template has been adjusted in certain missions to take into account mission-specific factors including: the total number of peacekeeping personnel; the prevailing security situation; local cultural, economic and political factors; the duty station designation as family or non-family; the size of the mission area and the number of locations where personnel are deployed; as well as the prevalence and severity of reported allegations of misconduct in the mission area. As conduct and discipline is still a relatively new function, the model terms of reference for mission conduct and discipline teams will continue to be reviewed and updated based on experience gained and lessons learned.

60. With General Temporary Assistance funding received for the 2005/06 budget period, the Department established conduct and discipline teams in eight peace operations (ONUB, MONUC, MINUSTAH, UNOCI, UNMIL, UNIOSIL, UNMIS and UNOTIL). For the 2006/07 budget, I have proposed to establish conduct and discipline teams to serve an additional 12 peace operations led by the Department of Peacekeeping Operations: 10 peacekeeping operations and 2 special political missions. The proposed staffing for conduct and discipline teams in the 2006/07 budget period for peacekeeping operations and special political missions led by the Department for the 2006/07 budget period is attached in annexes C and D, respectively. Given the relatively small size and close proximity of some missions, where appropriate, a regional conduct and discipline team serving several missions will be established. For instance, a regional mission team based in the United Nations Peacekeeping Force in Cyprus (UNFICYP) would serve this mission as well as the United Nations peace operations in the Middle East (United Nations Interim Force in Lebanon (UNIFIL), United Nations Disengagement Observer Force (UNDOF), United Nations Truce Supervision Organization (UNTSO), Office of the United Nations Special Coordinator for the Middle East Peace Process (UNSCO)). Similarly, a regional mission team based in the United Nations Assistance Mission in Afghanistan (UNAMA) would also serve the United Nations Observer Group in India and Pakistan (UNMOGIP).

VI. Conclusion

61. Significant progress has been made to put in place the broad package of reforms endorsed by the General Assembly in 2005. Dedicated resources are required, however, to complete the implementation of this reform package and to carry out the ongoing tasks of providing oversight and guidance on conduct and discipline issues.

62. Indeed, a longer-term, dedicated capacity to address conduct and discipline issues both at the Department of Peacekeeping Operations, Headquarters, and in all its field missions is key to an efficient and professional approach to peacekeeping. Whereas the vast majority of the more than 85,000 United Nations peacekeeping

personnel are hard-working, dedicated people committed to bringing peace and stability around the world, there will always, regrettably, be those who fail to meet the highest standards of behaviour. The United Nations needs dedicated resources to ensure that peacekeeping personnel are aware of the standards that they are expected to uphold, are held to account when such standards are breached and to ensure that the suffering of victims is alleviated.

63. Since addressing conduct and discipline issues is a longer-term requirement for peacekeeping operations, I have requested the General Assembly to approve posts for a Conduct and Discipline Unit at the Department of Peacekeeping Operations, Headquarters, in the support account for peacekeeping operations 2006/07 budget period (see A/60/727). In 2005, when presenting the programme budget implications of the Zeid report to the General Assembly, I flagged that I would be requesting General Temporary Assistance for conduct and discipline teams covering all missions led by the Department of Peacekeeping Operations in the 2006/07 budget period. I would urge your support for dedicated resources for conduct and discipline teams in the individual budgets of peacekeeping operations presented for the 2006/07 budget period. For the 2007/08 budget period, I will be requesting the approval of resources for dedicated capacities to address conduct and discipline issues in all field missions led by the Department in the form of posts, and the establishment of conduct and discipline teams as units.

VII. Action to be taken by the General Assembly

64. The action to be taken by the General Assembly in connection with the administrative and budgetary aspects of the financing of United Nations peacekeeping operations is to take note of the present report and endorse the proposals contained within.

Annex A

Terms of reference of the Department of Peacekeeping Operations Headquarters Conduct and Discipline Team

1. Lead and manage the efforts of the Department of Peacekeeping Operations in the area of conduct and discipline.

2. Develop strategies to link the Organization's overall goals and objectives on conduct and discipline issues to the work of conduct and discipline teams in field missions.

3. Lead the development of policies, procedures and guidelines on conduct and discipline issues relating to peacekeeping personnel, in consultation with Member States and relevant United Nations entities.

4. Provide policy and strategic guidance to the Department's senior management, senior mission leadership and mission conduct and discipline teams, on addressing conduct and discipline issues for all categories of United Nations peacekeeping personnel.

5. Provide technical advice to field missions on United Nations rules and procedures for handling misconduct cases for all categories of United Nations peacekeeping personnel.

6. Act on misconduct cases submitted by field missions within established policy and procedures, follow-up and monitor action taken.

7. Develop tools and mechanisms to ensure the consistent application by mission conduct and discipline teams of United Nations policies, procedures and guidelines on conduct and discipline issues relating to all categories of United Nations peacekeeping personnel.

8. Monitor the application by mission conduct and discipline teams of United Nations rules and regulations on the handling of misconduct cases relating to all categories of United Nations peacekeeping personnel.

9. Maintain a global database on misconduct allegations, cases and follow-up action taken covering all United Nations peacekeeping personnel in all missions, provide analysis and reports, and provide advice on prior offenders to recruitment officers.

10. Assist in developing training materials and conduct capacity-building on conduct and discipline issues for United Nations peacekeeping personnel.

11. Develop and promulgate lessons learned and best practices on conduct and discipline issues relating to all categories of peacekeeping personnel.

12. Provide content to United Nations public information entities on conduct and discipline issues including on the status of misconduct allegations and cases.

13. Liaise with other offices of the Department and field missions on internal and external evaluations including audits on conduct and discipline issues involving United Nations peacekeeping personnel.

14. Liaise with Member States, United Nations entities, non-governmental organizations and other relevant actors on policies, procedures and guidelines on conduct and discipline issues as well as misconduct cases involving all categories of United Nations peacekeeping personnel.

Annex B

Model terms of reference for a Conduct and Discipline Team in a peace operation led by the Department of Peacekeeping Operations

1. Act as the principal adviser to the head of mission on addressing conduct and discipline issues relating to all categories of United Nations peacekeeping personnel in the mission.

2. Advise the head of mission on establishing measures to prevent misconduct, enforce United Nations standards of conduct and ensure remedial action where misconduct has occurred.

3. Receive, assess and refer allegations of misconduct involving all categories of United Nations peacekeeping personnel for appropriate action.

4. Provide technical advice to mission leadership on United Nations rules and procedures relating to misconduct cases involving all categories of United Nations peacekeeping personnel in the mission.

5. Maintain a comprehensive database to track and report on all cases of misconduct in the mission, and provide analysis and reports.

6. Liaise with all investigative entities on misconduct allegations and cases involving all categories of United Nations peacekeeping personnel.

7. Assist in capacity-buiiding on conduct and discipline issues for United Nations peacekeeping personnel in the mission.

8. Provide content to public information components on conduct and discipline issues including on the status of misconduct allegations and cases.

9. Coordinate the mission's responses to victims of misconduct by United Nations peacekeeping personnel, in coordination with United Nations entities, non-governmental organizations and other relevant actors in the mission area.

10. Liaise with the Department of Peacekeeping Operations on internal and external evaluations including audits on conduct and discipline issues involving United Nations peacekeeping personnel.

11. Liaise with Member States, other United Nations entities, governmental representatives, non-governmental organizations and other relevant actors in the mission on policies, procedures and guidelines on conduct and discipline issues as well as misconduct cases involving all categories of United Nations peacekeeping personnel.

Annex C

Proposed staffing for Conduct and Discipline Teams in peacekeeping operations for 2006/07

Post title	*Level*	*UNMIL*	*MONUC*	*MINUSTAH*	*ONUCI*	*ONUB*[a]	*UNMIS*	*UNMIK*	*UNMEE*	*MINURSO*	*UNOMIG*	*UNFICYP*[b]	*Total*
Chief	D-1	1	1				1						3
Chief	P-5			1	1	1		1	1	1	1	1	8
Deputy Chief	P-5		1										1
Conduct and Discipline Officer	P-4	2	2	2	2	1	3	2	2	—	—	—	16
Operations/ Reports Officer	P-3		1										1
Programme Officer	P-3		2										2
Reports Officer	P-2	1		1	1	1	1	1	1	—	—	—	7
Subtotal		**4**	**7**	**4**	**4**	**3**	**5**	**4**	**4**	**1**	**1**	**1**	**38**
Data Entry Assistant/ Administrative Assistant	Field Service	1	2	1	1	1	2	1	1	—	—	—	10
Conduct and Discipline Officer	National professional officer	1	2	1	1	1	2	1	1	—	—	—	10
Translator	National staff		2										2
Office Assistant Driver	National staff	1	1	1	1	1	1	1	1	1	1	1	11
Subtotal		**3**	**7**	**3**	**3**	**3**	**5**	**3**	**3**	**1**	**1**	**1**	**33**
Total		**7**	**14**	**7**	**7**	**6**	**10**	**7**	**7**	**2**	**2**	**2**	**71**

[a] In light of the downsizing of ONUB, the 2006-07 budget has not yet been submitted. The staffing levels indicated for ONUB reflect requirements provided in the commitment authority for the current period through October 2006.

[b] In adopting a regional approach, conduct staff based in UNFICYP would be also cover UNDOF, UNIFIL, UNTSO and UNSCO.

Annex D

Proposed staffing for Conduct and Discipline Teams in special political missions for 2006/07

Post title	*Level*	*UNAMA*[a]	*UNIOSIL*	*UNAMI*[b]	*UNOTIL*[c]	*Total*
Chief	D-1					—
Chief	P-5	1	1	1	1	4
Deputy Chief	P-5					—
Conduct and Discipline Officer	P-4	—				—
Operations/Reports Officer	P-3					—
Programme Officer	P-3					—
Reports Officer	P-2	—				—
Subtotal		**1**	**1**	**1**	**1**	**4**
Data Entry Assistant/ Administrative Assistant	Field Service	—				—
Conduct and Discipline Officer	National professional officer	—				—
Translator	National staff					—
Office Assistant/Driver	National staff	1	1	1	1	4
Subtotal		**1**	**1**	**1**	**1**	**4**
Total		**2**	**2**	**2**	**2**	**8**

[a] Conduct staff based in UNAMA would also cover UNIMOGIP.

[b] Post for UNAMI to be provided from within existing resources.

[c] National staff position for UNOTIL is shared with other offices (within the Mission).

Annex E

2005 data on allegations of sexual exploitation and abuse involving United Nations peacekeeping personnel in all peace operations led by the Department of Peacekeeping Operations

	Mission	*Number of personnel*[b]	*Allegations received*
1	ONUB[a]	6 205	14
2	ONUCI[a]	8 572	25
3	MONUC[a]	20 205	209
4	UNMEE	3 810	6
5	UNMIL[a]	17 561	47
6	UNIOSIL[a]	741	4
7	UNMIS[a]	7 937	3
8	MINURSO	505	1
9	UNAMA	1 172	0
10	UNOMIG	442	6
11	UNMOGIP	113	0
12	UNOTIL[a]	393	14
13	UNFICYP	1 066	0
14	UNMIK	5 503	0
15	UNDOF	1 198	0
16	UNTSO	398	0
17	UNSCO	56	0
18	UNAMI	955	0
19	UNIFIL	2 453	0
20	MINUSTAH[a]	10 192	11
Total		**89 477**	**340**

[a] Peace operations with conduct and discipline teams established in 2005.
[b] Total number of United Nations peacekeeping personnel as at 31 December 2005.

Annex F

List of abbreviations

MINURSO	United Nations Mission for the Referendum in Western Sahara
MINUSTAH	United Nations Stabilization Mission in Haiti
MONUC	United Nations Organization Mission in the Democratic Republic of the Congo
NGO	Non-governmental organization
ONUB	United Nations Operation in Burundi
UNAMA	United Nations Assistance Mission in Afghanistan
UNAMI	United Nations Assistance Mission for Iraq
UNDOF	United Nations Disengagement Observer Force
UNFICYP	United Nations Peacekeeping Force in Cyprus
UNIFIL	United Nations Interim Force in Lebanon
UNIOSIL	United Nations Integrated Office in Sierra Leone
UNMEE	United Nations Mission in Ethiopia and Eritrea
UNMIK	United Nations Interim Administration Mission in Kosovo
UNMIL	United Nations Mission in Liberia
UNMIS	United Nations Mission in the Sudan
UNMOGIP	United Nations Military Observer Group in India and Pakistan
UNOCI	United Nations Operation in Côte d'Ivoire
UNOMIG	United Nations Observer Mission in Georgia
UNOTIL	United Nations Office in Timor-Leste
UNSCO	Office of the United Nations Special Coordinator for the Middle East Peace Process
UNTSO	United Nations Truce Supervision Organization